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107TH CONGRESS
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[Report No. 107–99]

To amend the Energy Policy Act of 1992 to develop the United States Climate Change Response Strategy with the goal of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, while minimizing adverse short-term and long-term economic and social impacts, aligning the Strategy with United States energy policy, and promoting a sound national environmental policy, to establish a research and development program that focuses on bold technological breakthroughs that make significant progress toward the goal of stabilization of greenhouse gas concentrations, to establish the National Office of Climate Change Response within the Executive Office of the President, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 8, 2001

Mr. BYRD (for himself and Mr. STEVENS, Mr. ROCKEFELLER, Ms. COLLINS, Mr. REID, Mr. LIEBERMAN, Mr. NELSON of Florida, and Mr. VOINOVICH) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

NOVEMBER 15, 2001

Reported by Mr. LIEBERMAN, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To amend the Energy Policy Act of 1992 to develop the United States Climate Change Response Strategy with

the goal of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, while minimizing adverse short-term and long-term economic and social impacts, aligning the Strategy with United States energy policy, and promoting a sound national environmental policy, to establish a research and development program that focuses on bold technological breakthroughs that make significant progress toward the goal of stabilization of greenhouse gas concentrations, to establish the National Office of Climate Change Response within the Executive Office of the President, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Climate Change Strat-
 5 egy and Technology Innovation Act of 2001”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

8 (1) evidence continues to build that increases in
 9 atmospheric concentrations of greenhouse gases are
 10 contributing to global climate change;

11 (2) in 1992, the Senate ratified the United Na-
 12 tions Framework Convention on Climate Change,
 13 done at New York on May 9, 1992, the ultimate ob-
 14 jective of which is the “stabilization of greenhouse
 15 gas concentrations in the atmosphere at a level that

1 would prevent dangerous anthropogenic interference
2 with the climate system”;

3 (3) although science currently cannot determine
4 precisely what atmospheric concentrations are “dan-
5 gerous”, the current trajectory of greenhouse gas
6 emissions will lead to a continued rise in greenhouse
7 gas concentrations in the atmosphere, not stabiliza-
8 tion;

9 (4) the remaining scientific uncertainties call
10 for temperance of human actions, but not inaction;

11 (5) greenhouse gases are associated with a wide
12 range of human activities, including energy produc-
13 tion, transportation, agriculture, forestry, manufac-
14 turing, buildings, and other activities;

15 (6) the economic consequences of poorly de-
16 signed climate change response strategies, or of in-
17 action, may cost the global economy trillions of dol-
18 lars;

19 (7) a large share of this economic burden would
20 be borne by the United States;

21 (8) stabilization of greenhouse gas concentra-
22 tions in the atmosphere will require transformational
23 change in the global energy system and other emit-
24 ting sectors at an almost unimaginable level—a
25 veritable industrial revolution is required;

1 (9) such a revolution can occur only if the revo-
2 lution is preceded by research and development that
3 leads to bold technological breakthroughs;

4 (10) over the decade preceding the date of en-
5 actment of this Act—

6 (A) energy research and development
7 budgets in the public and private sectors have
8 declined precipitously and have not been fo-
9 cused on the climate change response challenge;
10 and

11 (B) the investments that have been made
12 have not been guided by a comprehensive strat-
13 egy;

14 (11) the negative trends in research and devel-
15 opment funding described in paragraph (10) must
16 be reversed with a focus on not only traditional en-
17 ergy research and development, but also bolder,
18 breakthrough research;

19 (12) much more progress could be made on the
20 issue of climate change if the United States were to
21 adopt a new approach for addressing climate change
22 that included, as an ultimate long-term goal—

23 (A) stabilization of greenhouse gas con-
24 centrations in the atmosphere at a level that

1 would prevent dangerous anthropogenic inter-
2 ference with the climate system; and

3 (B) a response strategy with 4 key ele-
4 ments consisting of—

5 (i) definition of interim emission miti-
6 gation targets coupled with specific mitiga-
7 tion approaches that cumulatively yield
8 stabilized atmospheric greenhouse gas con-
9 centrations;

10 (ii) a national commitment—

11 (I) to double energy research and
12 development by the United States
13 public and private sectors; and

14 (II) in carrying out such research
15 and development, to provide a high
16 degree of emphasis on bold, break-
17 through technologies that will make
18 possible a profound transformation of
19 the energy, transportation, industrial,
20 agricultural, and building sectors of
21 the United States;

22 (iii) climate adaptation research that
23 focuses on response actions necessary to
24 adapt to climate change that may have oc-

1 curred or may occur under any future cli-
2 mate change scenario; and

3 (iv) continued research, building on
4 the substantial scientific understanding of
5 climate change that exists as of the date of
6 enactment of this Act, that focuses on re-
7 solving the remaining scientific, technical,
8 and economic uncertainties, to aid in the
9 development of sound response strategies;
10 and

11 (13) inherent in each of the 4 key elements of
12 the response strategy is consideration of the inter-
13 national nature of the challenge, which will
14 require—

15 (A) establishment of joint climate response
16 strategies and joint research programs;

17 (B) assistance to developing countries and
18 countries in transition for building technical
19 and institutional capacities and incentives for
20 addressing the challenge; and

21 (C) promotion of public awareness of the
22 issue.

1 **SEC. 3. PURPOSE.**

2 The purpose of this Act is to implement the new ap-
3 proach described in section 2(12) by developing a national
4 focal point for climate change response through—

5 (1) the establishment of the National Office of
6 Climate Change Response within the Executive Of-
7 fice of the President (referred to in this section as
8 the “White House Office”) to develop the United
9 States Climate Change Response Strategy (referred
10 to in this section as the “Strategy”) that—

11 (A) incorporates the 4 key elements of that
12 new approach;

13 (B) is supportive of and integrated in the
14 overall energy, transportation, industrial, agri-
15 cultural, forestry, and environmental policies of
16 the United States;

17 (C) takes into account—

18 (i) the diversity of energy sources and
19 technologies;

20 (ii) supply-side and demand-side solu-
21 tions; and

22 (iii) national infrastructure, energy
23 distribution, and transportation systems;

24 (D) provides for the inclusion and equi-
25 table participation of Federal, State, tribal, and
26 local government agencies, nongovernmental or-

ganizations, academia, scientific bodies, industry, the public, and other interested parties;

(E) incorporates new models of Federal-State cooperation;

(F) defines a comprehensive energy technology research and development program that—

(i) recognizes the important contributions that research and development programs in existence on the date of enactment of this Act make toward addressing the climate change response challenge; and

(ii) includes an additional research and development agenda that focuses on the bold, breakthrough technologies that are critical to the long-term stabilization of greenhouse gas concentrations in the atmosphere;

(G) includes consideration of other efforts to address critical environmental and health concerns, including clean air, clean water, and responsible land use policies; and

(H) incorporates initiatives to promote the deployment of clean energy technologies developed in the United States and abroad;

1 (2) the establishment of the Interagency Task
2 Force, chaired by the Director of the White House
3 Office, to serve as the primary mechanism through
4 which the heads of Federal agencies work together
5 to develop and implement the Strategy;

6 (3) the establishment of the ~~Office of Carbon~~
7 ~~Management~~ *Office of Climate Change Technology*
8 and the Center for Strategic Climate Change Re-
9 sponse within the Department of Energy—

10 (A) to manage, as their primary responsi-
11 bility, an innovative research and development
12 program that focuses on the bold, breakthrough
13 technologies that are critical to the long-term
14 stabilization of greenhouse gas concentrations
15 in the atmosphere; and

16 (B) to provide analytical support and data
17 to the White House Office, other agencies, and
18 the public;

19 (4) the establishment of an independent review
20 board—

21 (A) to review the Strategy and annually
22 assess United States and international progress
23 toward the goal of stabilization of greenhouse
24 gas concentrations in the atmosphere at a level

that would prevent dangerous anthropogenic interference with the climate system; and

(B) to assess—

(i) the performance of each Federal agency that has responsibilities under the Strategy; and

(ii) the adequacy of the budget of each such Federal agency to fulfill the responsibilities of the Federal agency under the Strategy; and

(5) the establishment of offices in, or the carrying out of activities by, the Department of Agriculture, the Department of Transportation, the Environmental Protection Agency, and other Federal agencies as necessary to carry out the amendment made by section 4.

SEC. 4. UNITED STATES CLIMATE CHANGE STRATEGY AND TECHNOLOGY INNOVATION.

Title XVI of the Energy Policy Act of 1992 (42 U.S.C. 13381 et seq.) is amended—

(1) by inserting after the title heading the following:

“Subtitle A—General Provisions”;

and

(2) by adding at the end the following:

1 **“Subtitle B—United States Climate**
 2 **Change Strategy and Tech-**
 3 **nology Innovation**

4 **“SEC. 1621. DEFINITIONS.**

5 “In this subtitle:

6 “(1) CENTER.—The term ‘Center’ means the
 7 Center for Strategic Climate Change Response es-
 8 tablished by section 1624(e).

9 “(2) CLIMATE-FRIENDLY TECHNOLOGY.—The
 10 term ‘climate-friendly technology’ means any energy
 11 supply or end-use technology that, over the life of
 12 the technology and compared to similar technology
 13 in commercial use as of the date of enactment of
 14 this subtitle—

15 “(A) results in reduced emissions of green-
 16 house gases;

17 “(B) may substantially lower emissions of
 18 other pollutants; and

19 “(C) may generate substantially smaller or
 20 less hazardous quantities of solid or liquid
 21 waste.

22 “(3) DEPARTMENT.—The term ‘Department’
 23 means the Department of Energy.

24 “(4) DEPARTMENT OFFICE.—The term ‘De-
 25 partment Office’ means the ~~Office of Carbon Man-~~

1 ~~agement~~ *Office of Climate Change Technology* of the
 2 Department established by section 1624(a).

3 “(5) FEDERAL AGENCY.—The term ‘Federal
 4 agency’ has the meaning given the term ‘agency’ in
 5 section 551 of title 5, United States Code.

6 ~~“(6) GREENHOUSE GAS.—The term ‘greenhouse~~
 7 ~~gas’ means an anthropogenic gaseous constituent of~~
 8 ~~the atmosphere that absorbs and re-emits infrared~~
 9 ~~radiation.~~

10 “(6) *GREENHOUSE GAS.—The term ‘greenhouse*
 11 *gas’ means—*

12 “(A) *an anthropogenic gaseous constituent*
 13 *of the atmosphere (including, but not limited to,*
 14 *carbon dioxide, methane, nitrous oxide,*
 15 *chlorofluorocarbons, hydrofluorocarbons,*
 16 *perfluorocarbons, sulfur hexafluoride, and tropo-*
 17 *spheric ozone) that absorbs and re-emits infrared*
 18 *radiation and influences climate; and*

19 “(B) *an anthropogenic aerosol (including,*
 20 *but not limited to, black soot) that absorbs solar*
 21 *radiation and influences climate.*

22 “(7) INTERAGENCY TASK FORCE.—The term
 23 ‘Interagency Task Force’ means the United States
 24 Climate Change Response Interagency Task Force
 25 established under section 1623(d).

1 “(8) KEY ELEMENT.—The term ‘key element’,
2 with respect to the Strategy, means—

3 “(A) definition of interim emission mitiga-
4 tion targets coupled with specific mitigation ap-
5 proaches that cumulatively result in stabiliza-
6 tion of greenhouse gas concentrations;

7 “(B) a national commitment—

8 “(i) to double energy research and de-
9 velopment by the United States public and
10 private sectors; and

11 “(ii) in carrying out such research
12 and development, to provide a high degree
13 of emphasis on bold, breakthrough tech-
14 nologies that will make possible a profound
15 transformation of the energy, transpor-
16 tation, industrial, agricultural, and build-
17 ing sectors of the United States;

18 “(C) climate adaptation research that fo-
19 cuses on response actions necessary to adapt to
20 climate change that may have occurred or may
21 occur under any future climate change scenario;
22 and

23 “(D) research that focuses on resolving the
24 remaining scientific, technical, and economic
25 uncertainties associated with climate change to

1 the extent that those uncertainties bear on
 2 strategies to achieve the long-term goal of sta-
 3 bilization of greenhouse gas concentrations.

4 “(9) QUALIFIED INDIVIDUAL.—

5 “(A) IN GENERAL.—The term ‘qualified
 6 individual’ means an individual who has dem-
 7 onstrated expertise and leadership skills to
 8 draw on other experts in diverse fields of knowl-
 9 edge that are relevant to addressing the climate
 10 change response challenge.

11 “(B) FIELDS OF KNOWLEDGE.—The fields
 12 of knowledge referred to in subparagraph (A)
 13 are—

14 “(i) the science of primary and sec-
 15 ondary climate change impacts;

16 “(ii) energy and environmental eco-
 17 nomics;

18 “(iii) technology transfer and diffu-
 19 sion;

20 “(iv) the social dimensions of climate
 21 change;

22 “(v) climate change adaptation strate-
 23 gies;

24 “(vi) fossil, nuclear, and renewable en-
 25 ergy technology;

- 1 “(vii) energy efficiency and energy
2 conservation;
3 “(viii) energy systems integration;
4 “(ix) engineered and terrestrial car-
5 bon sequestration;
6 “(x) transportation, industrial, and
7 building sector concerns;
8 “(xi) regulatory and market-based
9 mechanisms for addressing climate change;
10 “(xii) risk and decision analysis;
11 “(xiii) strategic planning; and
12 “(xiv) the international implications of
13 climate change response strategies.

14 “(10) REVIEW BOARD.—The term ‘Review
15 Board’ means the United States Climate Change
16 Response Strategy Review Board established by sec-
17 tion 1626.

18 “(11) SECRETARY.—The term ‘Secretary’
19 means the Secretary of Energy.

20 “(12) STABILIZATION OF GREENHOUSE GAS
21 CONCENTRATIONS.—The term ‘stabilization of
22 greenhouse gas concentrations’ means the stabiliza-
23 tion of greenhouse gas concentrations in the atmos-
24 phere at a level that would prevent dangerous an-
25 thropogenic interference with the climate system, as

1 contemplated by the United Nations Framework
2 Convention on Climate Change, done at New York
3 on May 9, 1992.

4 “(13) STRATEGY.—The term ‘Strategy’ means
5 the United States Climate Change Response Strat-
6 egy developed under section 1622.

7 “(14) WHITE HOUSE OFFICE.—The term
8 ‘White House Office’ means the National Office of
9 Climate Change Response of the Executive Office of
10 the President established by section 1623(a).

11 **“SEC. 1622. UNITED STATES CLIMATE CHANGE RESPONSE**
12 **STRATEGY.**

13 “(a) IN GENERAL.—The Director of the White House
14 Office shall develop the United States Climate Change Re-
15 sponse Strategy, which shall—

16 “(1) have the long-term goal of stabilization of
17 greenhouse gas concentrations;

18 “(2) build on the 4 key elements;

19 “(3) be developed on the basis of an examina-
20 tion of a broad range of emission reduction targets
21 and implementation dates (including those con-
22 templated by the United Nations Framework Con-
23 vention on Climate Change, done at New York on
24 May 9, 1992) that culminate in the stabilization of
25 greenhouse gas concentrations;

1 “(4) incorporate mitigation approaches to re-
2 duce, avoid, and sequester greenhouse gas emissions;

3 “(5) include an evaluation of whether and how
4 each emission reduction target and implementation
5 date achieves the emission reductions in an economi-
6 cally and environmentally sound manner;

7 “(6) be consistent with the goals of energy,
8 transportation, industrial, agricultural, forestry, en-
9 vironmental, and other relevant policies of the
10 United States;

11 “(7) have a scope that considers the totality of
12 United States public, private, and public-private sec-
13 tor actions that bear on the long-term goal;

14 “(8) be based on an evaluation of a wide range
15 of approaches for achieving the long-term goal, in-
16 cluding evaluation of—

17 “(A) a variety of cost-effective Federal and
18 State policies, programs, standards, and incen-
19 tives;

20 “(B) policies that integrate and promote
21 innovative, market-based solutions in the
22 United States and in foreign countries; and

23 “(C) participation in other international
24 institutions, or in the support of international
25 activities, that are established or conducted to

1 facilitate stabilization of greenhouse gas con-
2 centrations;

3 “(9) in the final recommendations of the Strat-
4 egy, emphasize response strategies that achieve the
5 long-term goal and provide specific recommendations
6 concerning—

7 “(A) measures determined to be appro-
8 priate for short-term implementation, giving
9 preference to cost-effective and technologically
10 feasible measures that will—

11 “(i) produce measurable net reduc-
12 tions in United States emissions that lead
13 toward achievement of the long-term goal;
14 and

15 “(ii) minimize any adverse short-term
16 and long-term economic and social impacts
17 on the United States;

18 “(B) the development of technologies that
19 have the potential for long-term
20 implementation—

21 “(i) giving preference to technologies
22 that have the potential to reduce signifi-
23 cantly the overall cost of stabilization of
24 greenhouse gas concentrations; and

1 “(ii) considering a full range of energy
2 sources, energy conversion and use tech-
3 nologies, and efficiency options;

4 “(C) such changes in institutional and
5 technology systems as are necessary to adapt to
6 climate change in the short term and the long
7 term;

8 “(D) such review, modification, and en-
9 hancement of the scientific, technical, and eco-
10 nomic research efforts of the United States,
11 and improvements to the data resulting from
12 research, as are appropriate to improve the ac-
13 curacy of predictions concerning climate change
14 and the economic and social costs and opportu-
15 nities relating to climate change; and

16 “(E) changes that should be made to
17 project and grant evaluation criteria under
18 other Federal research and development pro-
19 grams so that those criteria do not inhibit de-
20 velopment of climate-friendly technologies;

21 “(10) be developed in a manner that provides
22 for meaningful participation by, and consultation
23 among, Federal, State, tribal, and local government
24 agencies, nongovernmental organizations, academia,
25 scientific bodies, industry, the public, and other in-

1 terested parties in accordance with subsections
2 (b)(4)(C)(iv)(II) and (d)(3)(B)(iii) of section 1623;

3 “(11) address how the United States should en-
4 gage State, tribal, and local governments in devel-
5 oping and carrying out a response to climate change;

6 “(12) promote, to the maximum extent prac-
7 ticable, public awareness, outreach, and information-
8 sharing to further the understanding of the full
9 range of climate change-related issues;

10 “(13) include recommendations for legislative
11 and administrative actions necessary to implement
12 the Strategy;

13 “(14) serve as a framework for climate change
14 response actions by all Federal agencies;

15 “(15) recommend which Federal agencies are,
16 or should be, responsible for the various aspects of
17 implementation of the Strategy and any budgetary
18 implications;

19 “(16) address how the United States should en-
20 gage foreign governments in developing an inter-
21 national response to climate change; and

22 “(17) be subject to review by an independent
23 review board in accordance with section 1626.

1 “(b) SUBMISSION TO CONGRESS.—Not later than 1
2 year after the date of enactment of this subtitle, the Presi-
3 dent shall submit to Congress the Strategy.

4 “(c) UPDATING.—Not later than 2 years after the
5 date of submission of the Strategy to Congress under sub-
6 section (b), and at the end of each 2-year period there-
7 after, the President shall submit to Congress an updated
8 version of the Strategy.

9 “(d) PROGRESS REPORTS.—Not later than 1 year
10 after the date of submission of the Strategy to Congress
11 under subsection (b), and at the end of each 1-year period
12 thereafter, the President shall submit to Congress a report
13 that—

14 “(1) describes the progress on implementation
15 of the Strategy; and

16 “(2) provides recommendations for improve-
17 ment of the Strategy and the implementation of the
18 Strategy.

19 “(e) ALIGNMENT WITH ENERGY, TRANSPORTATION,
20 INDUSTRIAL, AGRICULTURAL, FORESTRY, AND OTHER
21 POLICIES.—The President, the Director of the White
22 House Office, the Secretary, and the other members of
23 the Interagency Task Force shall work together to align
24 the actions carried out under the Strategy and actions as-
25 sociated with the energy, transportation, industrial, agri-

1 cultural, forestry, and other relevant policies of the United
2 States so that the objectives of both the Strategy and the
3 policies are met without compromising the climate change-
4 related goals of the Strategy or the goals of the policies.

5 “(f) NATIONAL LABORATORY CERTIFICATION.—

6 “(1) IN GENERAL.—The directors of the major
7 national laboratories of the Department specified in
8 paragraph (3) shall annually meet with the Presi-
9 dent and individually and simultaneously certify
10 whether the energy technology research and develop-
11 ment programs of the United States collectively are
12 technically and financially on a trajectory that is
13 consistent with—

14 “(A) the directions and progress outlined
15 in the Strategy; and

16 “(B) the long-term goal of stabilization of
17 greenhouse gas concentrations.

18 “(2) EFFECT OF NEGATIVE CERTIFICATION.—If
19 the certification described in paragraph (1) is in the
20 negative, the directors shall submit to the President
21 a report that—

22 “(A) specifies the reasons why the certifi-
23 cation is in the negative; and

1 “(B) describes corrective actions that must
2 be taken so that the certification can be made
3 in the affirmative.

4 “(3) DIRECTORS OF MAJOR NATIONAL LABORA-
5 TORIES AFFILIATED WITH SCIENCE AND ENERGY
6 PROGRAMS.—The directors of the national labora-
7 tories that shall participate in the certification under
8 this subsection are the director of each of—

9 “(A) the Argonne National Laboratory;

10 “(B) the Lawrence Berkeley National Lab-
11 oratory;

12 “(C) the National Energy Technology Lab-
13 oratory;

14 “(D) the National Renewable Energy Lab-
15 oratory;

16 “(E) the Oak Ridge National Laboratory;
17 and

18 “(F) the Pacific Northwest National Lab-
19 oratory.

20 “(4) COORDINATION.—The director of the Na-
21 tional Energy Technology Laboratory shall serve as
22 coordinator of the group of the directors of the na-
23 tional laboratories specified in paragraph (3).

1 **“SEC. 1623. NATIONAL OFFICE OF CLIMATE CHANGE RE-**
2 **SPONSE OF THE EXECUTIVE OFFICE OF THE**
3 **PRESIDENT.**

4 “(a) ESTABLISHMENT.—

5 “(1) IN GENERAL.—There is established, within
6 the Executive Office of the President, the National
7 Office of Climate Change Response.

8 “(2) FOCUS.—The White House Office shall
9 have the focus of achieving the long-term goal of
10 stabilization of greenhouse gas concentrations while
11 minimizing adverse short-term and long-term eco-
12 nomic and social impacts.

13 “(3) DUTIES.—Consistent with paragraph (2),
14 the White House Office shall—

15 “(A) establish policies, objectives, and pri-
16 orities for the Strategy;

17 “(B) in accordance with subsection (d), es-
18 tablish the Interagency Task Force to serve as
19 the primary mechanism through which the
20 heads of Federal agencies shall assist the Direc-
21 tor of the White House Office in developing and
22 implementing the Strategy;

23 “(C) to the maximum extent practicable,
24 ensure that the Strategy is based on objective,
25 quantitative analysis, drawing on the analytical

1 capabilities of Federal and State agencies, espe-
2 cially the Center;

3 “(D) advise the President concerning nec-
4 essary changes in organization, management,
5 budgeting, and personnel allocation of Federal
6 agencies involved in climate change response ac-
7 tivities; and

8 “(E) notify a Federal agency if the policies
9 and discretionary programs of the agency are
10 not well aligned with, or are not contributing
11 effectively to, the long-term goal of stabilization
12 of greenhouse gas concentrations.

13 “(b) DIRECTOR OF THE WHITE HOUSE OFFICE.—

14 “(1) IN GENERAL.—The White House Office
15 shall be headed by a Director, who shall report di-
16 rectly to the President.

17 “(2) APPOINTMENT.—The Director of the
18 White House Office shall be a qualified individual
19 appointed by the President, by and with the advice
20 and consent of the Senate.

21 “(3) TERM; VACANCIES.—

22 “(A) TERM.—The Director of the White
23 House Office shall be appointed for a term of
24 4 years.

1 “(B) VACANCIES.—A vacancy in the posi-
 2 tion of Director of the White House Office shall
 3 be filled in the same manner as the original ap-
 4 pointment was made.

5 “(4) DUTIES OF THE DIRECTOR OF THE WHITE
 6 HOUSE OFFICE.—

7 “(A) STRATEGY.—In accordance with sec-
 8 tion 1622, the Director of the White House Of-
 9 fice shall coordinate the development and up-
 10 dating of the Strategy.

11 “(B) INTERAGENCY TASK FORCE.—The
 12 Director of the White House Office shall serve
 13 as Chairperson of the Interagency Task Force.

14 “(C) ADVISORY DUTIES.—

15 “(i) CLIMATE, ENERGY, TRANSPOR-
 16 TATION, INDUSTRIAL, AGRICULTURAL,
 17 BUILDING, FORESTRY, AND OTHER PRO-
 18 GRAMS.—The Director of the White House
 19 Office, using an integrated perspective con-
 20 sidering the totality of actions in the
 21 United States, shall advise the President
 22 and the heads of Federal agencies on—

23 “(I) the extent to which United
 24 States energy, transportation, indus-
 25 trial, agricultural, forestry, building,

1 and other relevant programs are capa-
2 ble of producing progress on the long-
3 term goal of stabilization of green-
4 house gas concentrations; and

5 “(II) the extent to which pro-
6 posed or newly created energy, trans-
7 portation, industrial, agricultural, for-
8 estry, building, and other relevant
9 programs positively or negatively af-
10 fect the ability of the United States to
11 achieve the long-term goal of stabiliza-
12 tion of greenhouse gas concentrations.

13 “(ii) TAX, TRADE, AND FOREIGN
14 POLICIES.—The Director of the White
15 House Office, using an integrated perspec-
16 tive considering the totality of actions in
17 the United States, shall advise the Presi-
18 dent and the heads of Federal agencies
19 on—

20 “(I) the extent to which the
21 United States tax policy, trade policy,
22 and foreign policy are capable of pro-
23 ducing progress on the long-term goal
24 of stabilization of greenhouse gas con-
25 centrations; and

1 “(II) the extent to which pro-
2 posed or newly created tax policy,
3 trade policy, and foreign policy posi-
4 tively or negatively affect the ability of
5 the United States to achieve the long-
6 term goal of stabilization of green-
7 house gas concentrations.

8 “(iii) INTERNATIONAL TREATIES.—
9 The Secretary of State, acting in conjunc-
10 tion with the Interagency Task Force and
11 using the analytical tools available to the
12 White House Office, shall provide to the
13 Director of the White House Office an
14 opinion that—

15 “(I) specifies the economic and
16 environmental costs and benefits of
17 any proposed international treaties or
18 components of treaties that have an
19 influence on greenhouse gas manage-
20 ment; and

21 “(II) assesses the extent to which
22 the treaties advance the long-term
23 goal of stabilization of greenhouse gas
24 concentrations, while minimizing ad-
25 verse short-term and long-term eco-

1 nomic and social impacts and consid-
2 ering other impacts.

3 “(iv) CONSULTATION.—

4 “(I) WITH MEMBERS OF INTER-
5 AGENCY TASK FORCE.—To the extent
6 practicable and appropriate, the Di-
7 rector of the White House Office shall
8 consult with all members of the Inter-
9 agency Task Force and other inter-
10 ested parties before providing advice
11 to the President.

12 “(II) WITH OTHER INTERESTED
13 PARTIES.—The Director of the White
14 House Office shall establish a process
15 for obtaining the meaningful partici-
16 pation of Federal, State, tribal, and
17 local government agencies, nongovern-
18 mental organizations, academia, sci-
19 entific bodies, industry, the public,
20 and other interested parties in the
21 formulation of advice to be provided
22 to the President.

23 “(D) PUBLIC EDUCATION, AWARENESS,
24 OUTREACH, AND INFORMATION-SHARING.—The
25 Director of the White House Office, to the max-

1 imum extent practicable, shall promote public
2 awareness, outreach, and information-sharing
3 to further the understanding of the full range
4 of climate change-related issues.

5 “(5) ANNUAL REPORTS.—The Director of the
6 White House Office, in consultation with the Inter-
7 agency Task Force and other interested parties,
8 shall prepare an annual report for submission by the
9 President to Congress that—

10 “(A) assesses progress in implementation
11 of the Strategy;

12 “(B) assesses progress, in the United
13 States and in foreign countries, toward the
14 long-term goal of stabilization of greenhouse
15 gas concentrations;

16 “(C) assesses progress toward meeting cli-
17 mate change-related international obligations;

18 “(D) makes recommendations for actions
19 by the Federal Government designed to close
20 any gap between progress-to-date and the meas-
21 ures that are necessary to achieve the long-term
22 goal of stabilization of greenhouse gas con-
23 centrations; and

1 “(E) addresses the totality of actions in
2 the United States that relate to the 4 key ele-
3 ments.

4 “(6) ANALYSIS.—During development of the
5 Strategy, preparation of the annual reports sub-
6 mitted under paragraph (5), and provision of advice
7 to the President and the heads of Federal agencies,
8 the Director of the White House Office shall place
9 significant emphasis on the use of objective, quan-
10 titative analysis, taking into consideration any un-
11 certainties associated with the analysis.

12 “(c) STAFF.—

13 “(1) IN GENERAL.—The Director of the White
14 House Office shall employ a professional staff of not
15 more than 25 individuals to carry out the duties of
16 the White House Office.

17 “(2) INTERGOVERNMENTAL PERSONNEL AND
18 FELLOWSHIPS.—The Director of the White House
19 Office may use the authority provided by the Inter-
20 governmental Personnel Act of 1970 (42 U.S.C.
21 4701 et seq.) and subchapter VI of chapter 33 of
22 title 5, United States Code, and fellowships, to ob-
23 tain staff from academia, scientific bodies, private
24 industry, nongovernmental organizations, other De-
25 partment programs, other Federal agencies, and na-

1 tional laboratories, for appointments of a limited
 2 term.

3 “(d) INTERAGENCY TASK FORCE.—

4 “(1) IN GENERAL.—The Director of the White
 5 House Office shall establish the United States Cli-
 6 mate Change Response Interagency Task Force.

7 “(2) COMPOSITION.—The Interagency Task
 8 Force shall be composed of—

9 “(A) the Director of the White House Of-
 10 fice, who shall serve as Chairperson;

11 “(B) the Secretary of State;

12 “(C) the Secretary;

13 “(D) the Secretary of Commerce;

14 “(E) the Secretary of the Treasury;

15 “(F) the Secretary of Transportation;

16 “(G) the Secretary of Agriculture;

17 “(H) the Administrator of the Environ-
 18 mental Protection Agency;

19 “(I) the Administrator of the Agency for
 20 International Development;

21 “(J) the United States Trade Representa-
 22 tive;

23 “(K) the National Security Advisor;

24 “(L) the Director of the National Eco-
 25 nomic Council;

1 “(M) the Chairman of the Council on En-
2 vironmental Quality;

3 “(N) the Director of the Office of Science
4 and Technology Policy;

5 “(O) the Chairperson of the Subcommittee
6 on Global Change Research (which performs
7 the functions of the Committee on Earth and
8 Environmental Sciences established by section
9 102 of the Global Change Research Act of 1990
10 (15 U.S.C. 2932)); and

11 “(P) the heads of such other Federal agen-
12 cies as the Chairperson determines should be
13 members of the Interagency Task Force.

14 “(3) STRATEGY.—

15 “(A) IN GENERAL.—The Interagency Task
16 Force shall serve as the primary forum through
17 which the Federal agencies represented on the
18 Interagency Task Force jointly—

19 “(i) assist the Director of the White
20 House Office in developing and updating
21 the Strategy; and

22 “(ii) assist the Director of the White
23 House Office in preparing annual reports
24 under subsection (b)(5).

1 “(B) REQUIRED ELEMENTS.—In carrying
2 out subparagraph (A), the Interagency Task
3 Force shall—

4 “(i) take into account the long-term
5 goal and other requirements of the Strat-
6 egy specified in section 1622(a);

7 “(ii) give full consideration to the
8 facts and opinions presented by the mem-
9 bers of the Interagency Task Force;

10 “(iii) consult with State, tribal, and
11 local government agencies, nongovern-
12 mental organizations, academia, scientific
13 bodies, industry, the public, and other in-
14 terested parties; and

15 “(iv) build consensus around a Strat-
16 egy that is based on strong scientific, tech-
17 nical, and economic analyses.

18 “(4) WORKING GROUPS.—The Chairperson of
19 the Interagency Task Force may establish such top-
20 ical working groups as are necessary to carry out
21 the duties of the Interagency Task Force.

22 “(e) PROVISION OF SUPPORT STAFF.—In accordance
23 with procedures established by the Chairperson of the
24 Interagency Task Force, the Federal agencies represented
25 on the Interagency Task Force shall provide staff from

1 the agencies to support information, data collection, and
 2 analyses required by the Interagency Task Force.

3 “(f) HEARINGS.—On request of the Chairperson, the
 4 Interagency Task Force may hold such hearings, meet and
 5 act at such times and places, take such testimony, and
 6 receive such evidence as the Interagency Task Force con-
 7 siderers to be appropriate.

8 **“SEC. 1624. TECHNOLOGY INNOVATION PROGRAM IMPLE-**
 9 **MENTED THROUGH THE OFFICE OF CARBON**
 10 **MANAGEMENT OFFICE OF CLIMATE CHANGE**
 11 **TECHNOLOGY OF THE DEPARTMENT OF EN-**
 12 **ERGY AND THE CENTER FOR STRATEGIC CLI-**
 13 **MATE CHANGE RESPONSE.**

14 “(a) ESTABLISHMENT OF ~~OFFICE OF CARBON MAN-~~
 15 ~~AGEMENT~~ *OFFICE OF CLIMATE CHANGE TECHNOLOGY* OF
 16 THE DEPARTMENT OF ENERGY.—

17 “(1) IN GENERAL.—There is established, within
 18 the Department, the ~~Office of Carbon Management~~
 19 *Office of Climate Change Technology*.

20 “(2) DUTIES.—The Department Office shall—

21 “(A) manage an energy technology re-
 22 search and development program that directly
 23 supports the Strategy by—

24 “(i) focusing on high-risk, bold, break-
 25 through technologies that—

1 “(I) are critical to the long-term
2 stabilization of greenhouse gas con-
3 centrations;

4 “(II) are not significantly ad-
5 dressed by other Federal programs;
6 and

7 “(III) move technology substan-
8 tially beyond the state of usual inno-
9 vation;

10 “(ii) forging fundamentally new re-
11 search and development partnerships
12 among various Departments, other Fed-
13 eral, and State programs, particularly be-
14 tween basic science and energy technology
15 programs, in cases in which such partner-
16 ships have significant potential to affect
17 the ability of the United States to achieve
18 stabilization of greenhouse gas concentra-
19 tions at the lowest possible cost;

20 “(iii) forging international research
21 and development partnerships that are in
22 the interests of the United States and
23 make progress on stabilization of green-
24 house gas concentrations;

1 “(iv) making available, through moni-
2 toring, experimentation, and analysis, data
3 that are essential to proving the technical
4 and economic viability of technology cen-
5 tral to addressing climate change; and

6 “(v) transitioning research and devel-
7 opment programs to other program offices
8 of the Department once such a research
9 and development program crosses the
10 threshold of high-risk research and moves
11 into the realm of more conventional tech-
12 nology development;

13 “(B) in accordance with subsection
14 (b)(5)(C), prepare a 10-year program plan for
15 the activities of the Department Office and up-
16 date the plan biennially;

17 “(C) prepare annual reports in accordance
18 with subsection (b)(6);

19 “(D) identify the total contribution of all
20 Department programs to climate change re-
21 sponse;

22 “(E) provide substantial analytical support
23 to the White House Office, particularly support
24 in the development of the Strategy and associ-
25 ated progress reporting; and

1 “(F) advise the Secretary on climate
2 change-related issues, including necessary
3 changes in Department organization, manage-
4 ment, budgeting, and personnel allocation in the
5 programs involved in climate change response-
6 related activities.

7 “(b) DIRECTOR OF THE DEPARTMENT OFFICE.—

8 “(1) IN GENERAL.—The Department Office
9 shall be headed by a Director, who shall report di-
10 rectly to the Secretary.

11 “(2) APPOINTMENT.—The Director of the De-
12 partment Office shall be an employee of the Federal
13 Government who is a qualified individual appointed
14 by the President.

15 “(3) TERM.—The Director of the Department
16 Office shall be appointed for a term of 4 years.

17 “(4) VACANCIES.—A vacancy in the position of
18 the Director of the Department Office shall be filled
19 in the same manner as the original appointment was
20 made.

21 “(5) DUTIES OF THE DIRECTOR OF THE DE-
22 PARTMENT OFFICE.—

23 “(A) STRATEGY.—The Director of the De-
24 partment Office shall support development of

1 the Strategy through the provision of staff and
 2 analytical support.

3 “(B) INTERAGENCY TASK FORCE.—
 4 Through active participation in the Interagency
 5 Task Force, the Director of the Department
 6 Office shall—

7 “(i) based on the analytical capabili-
 8 ties of the Department Office and the Cen-
 9 ter, share analyses of alternative climate
 10 change response strategies with other
 11 members of the Interagency Task Force to
 12 assist all members in understanding—

13 “(I) the scale of the climate
 14 change response challenge; and

15 “(II) how the actions of the Fed-
 16 eral agencies of the members posi-
 17 tively or negatively contribute to cli-
 18 mate change solutions; and

19 “(ii) determine how the energy tech-
 20 nology research and development program
 21 described in subsection (a)(2)(A) can be
 22 designed for maximum impact on the long-
 23 term goal of stabilization of greenhouse
 24 gas concentrations.

25 “(C) 10-YEAR PROGRAM PLAN.—

1 “(i) IN GENERAL.—Not later than 1
2 year after the date of enactment of this
3 subtitle, the Director of the Department
4 Office shall prepare a 10-year program
5 plan.

6 “(ii) REQUIRED ELEMENTS.—The
7 plan shall—

8 “(I) consider all elements of the
9 Strategy that relate to technology re-
10 search and development;

11 “(II) become an integral compo-
12 nent of the Strategy;

13 “(III) focus the activities of the
14 Department Office on gaps identified
15 by the Strategy;

16 “(IV) emphasize the funding of
17 activities that meet the goals de-
18 scribed in clauses (i) through (iv) of
19 subsection (a)(2)(A);

20 “(V) identify creative and innova-
21 tive approaches for building partner-
22 ships and managing research and de-
23 velopment that have the potential to
24 result in significant advances of tech-

1 nologies and other innovative actions;
2 and

3 “(VI) place a high level of em-
4 phasis on bold, breakthrough research
5 and development programs that can—

6 “(aa) be created with the in-
7 volvement of 1 or more Federal
8 research and development pro-
9 grams; and

10 “(bb) upon reaching a suffi-
11 cient level of technological matu-
12 rity, be transitioned to other pro-
13 gram offices of the Department
14 without loss of the creative man-
15 agement approaches and partner-
16 ships of the innovative research
17 and development programs.

18 “(iii) SUBMISSION OF PLAN.—The
19 Secretary shall submit the 10-year pro-
20 gram plan to Congress and the Director of
21 the White House Office.

22 “(iv) UPDATING.—

23 “(I) IN GENERAL.—The Director
24 of the Department Office shall update
25 the 10-year program plan biennially.

1 “(II) SUBMISSION.—The Sec-
2 retary shall submit each updated 10-
3 year program plan to Congress and
4 the Director of the White House Of-
5 fice.

6 “(D) CENTER.—

7 “(i) OPERATING MODEL.—The Direc-
8 tor of the Department Office shall estab-
9 lish an operating model for the Center.

10 “(ii) DELEGATION OF DEPARTMENT
11 OFFICE FUNCTIONS.—The Director of the
12 Department Office may choose to delegate
13 selected program management and re-
14 search and development functions of the
15 Department Office to the Center.

16 “(iii) FOCUS.—

17 “(I) IN GENERAL.—Funds for
18 the Center should be used to build a
19 Center with focused capability that
20 has a limited number of focused off-
21 site locations.

22 “(II) INVOLVEMENT OF ORGANI-
23 ZATIONS.—Notwithstanding subclause
24 (I), the Director of the Department
25 Office may involve any number of or-

1 ganizations in the operation of the
2 Center.

3 “(iv) TOOLS, DATA, AND CAPABILI-
4 TIES.—The Director of the Department
5 Office shall foster the development of tools,
6 data, and capabilities at the Center to en-
7 sure that—

8 “(I) the United States has a ro-
9 bust capability for evaluating alter-
10 native climate change response sce-
11 narios; and

12 “(II) the Center provides long-
13 term analytical continuity during the
14 terms of service of successive Presi-
15 dents.

16 “(E) ADVISORY DUTIES.—The Director of
17 the Department Office shall advise the Sec-
18 retary on all aspects of climate change re-
19 sponse.

20 “(6) ANNUAL REPORTS.—The Director of the
21 Department Office shall prepare an annual report
22 for submission by the Secretary to Congress and the
23 White House Office that—

24 “(A) assesses progress toward meeting the
25 goals of the energy technology research and de-

1 development program described in subsection
2 (a)(2)(A);

3 “(B) assesses the activities of the Center;

4 “(C) assesses the contributions of all en-
5 ergy technology research and development pro-
6 grams of the Department (including science
7 programs) to the long-term goal and other re-
8 quirements of the Strategy specified in section
9 1622(a); and

10 “(D) makes recommendations for actions
11 by the Department and other Federal agencies
12 to address the components of technology devel-
13 opment that are necessary to support the Strat-
14 egy.

15 “(7) ANALYSIS.—During development of the
16 Strategy, the 10-year program plan submitted under
17 paragraph (5)(C), annual reports submitted under
18 paragraph (6), and advice to the Secretary, the Di-
19 rector of the Department Office shall place signifi-
20 cant emphasis on the use of objective, quantitative
21 analysis, taking into consideration any associated
22 uncertainties.

23 “(c) STAFF.—The Director of the Department Office
24 shall employ a professional staff of not more than 25 indi-
25 viduals to carry out the duties of the Department Office.

1 “(d) INTERGOVERNMENTAL PERSONNEL AND FEL-
 2 LOWSHIPS.—The Department Office may use the author-
 3 ity provided by the Intergovernmental Personnel Act of
 4 1970 (42 U.S.C. 4701 et seq.) and subchapter VI of chap-
 5 ter 33 of title 5, United States Code, and fellowships, to
 6 obtain staff from academia, scientific bodies, private in-
 7 dustry, nongovernmental organizations, other Department
 8 programs, other Federal agencies, and national labora-
 9 tories, for appointments of a limited term.

10 “(e) CENTER FOR STRATEGIC CLIMATE CHANGE RE-
 11 SPONSE.—

12 “(1) IN GENERAL.—

13 “(A) ESTABLISHMENT.—There is estab-
 14 lished the Center for Strategic Climate Change
 15 Response, which shall report to the Director of
 16 the Department Office.

17 “(B) LOCATIONS.—The Center shall main-
 18 tain 1 headquarters location and such addi-
 19 tional temporary or permanent locations as are
 20 necessary to carry out the duties of the Center.

21 “(C) CENTER DIRECTOR.—The Center
 22 shall be headed by a Director, who shall be se-
 23 lected by the Director of the Department Of-
 24 fice.

25 “(2) DUTIES.—

1 “(A) IN GENERAL.—

2 “(i) GOAL.—The Center shall foster
3 the development and application of ad-
4 vanced computational tools, data, and ca-
5 pabilities that support integrated assess-
6 ment of alternative climate change re-
7 sponse scenarios and implementation of
8 the Strategy.

9 “(ii) PARTICIPATION AND SUPPORT.—

10 The Center may include participation of,
11 and be supported by, each other Federal
12 agency that has a direct or indirect role in
13 the development, commercialization, or
14 transfer of energy, transportation, indus-
15 trial, agricultural, forestry, or other cli-
16 mate change-related technology.

17 “(B) PROGRAMS.—

18 “(i) IN GENERAL.—The Center
19 shall—

20 “(I) develop and maintain core
21 analytical competencies and complex,
22 integrated computational modeling ca-
23 pabilities that are necessary to sup-
24 port the design and implementation of
25 the Strategy;

1 “(II) track United States and
2 international progress toward the
3 long-term goal of stabilization of
4 greenhouse gas concentrations; and

5 “(III) in support of the Depart-
6 ment Office, support the management
7 and implementation of research and
8 development programs.

9 “(ii) INTERNATIONAL CARBON DIOX-
10 IDE SEQUESTRATION MONITORING AND
11 DATA PROGRAM.—In consultation with
12 Federal, State, academic, scientific, private
13 sector, nongovernmental, tribal, and inter-
14 national carbon capture and sequestration
15 technology programs, the Center shall de-
16 sign and carry out an international carbon
17 dioxide sequestration monitoring and data
18 program to collect, analyze, and make
19 available the technical and economic data
20 to ascertain—

21 “(I) whether engineered seques-
22 tration and terrestrial sequestration
23 will be acceptable technologies from
24 regulatory, economic, and inter-
25 national perspectives;

1 “(II) whether carbon dioxide se-
 2 questered in geological formations or
 3 ocean systems is stable and has incon-
 4 sequential leakage rates on a geologic
 5 time-scale; and

6 “(III) the extent to which forest,
 7 agricultural, and other terrestrial sys-
 8 tems are suitable carbon sinks.

9 “(C) AREAS OF EXPERTISE.—

10 “(i) IN GENERAL.—The Center shall
 11 develop and maintain expertise in inte-
 12 grated assessment, modeling, and related
 13 capabilities necessary—

14 “(I) to understand the relation-
 15 ship between natural, agricultural, in-
 16 dustrial, energy, and economic sys-
 17 tems;

18 “(II) to design effective research
 19 and development programs; and

20 “(III) to develop and implement
 21 the Strategy.

22 “(ii) TECHNOLOGY TRANSFER AND
 23 DIFFUSION.—The expertise described in
 24 clause (i) shall include knowledge of tech-
 25 nology transfer and technology diffusion in

1 United States markets and foreign mar-
2 kets.

3 “(D) DISSEMINATION OF INFORMATION.—

4 The Center shall ensure, to the maximum ex-
5 tent practicable, that technical and scientific
6 knowledge relating to greenhouse gas emission
7 reduction, avoidance, and sequestration is
8 broadly disseminated through publications, fel-
9 lowships, and training programs.

10 “(E) ASSESSMENTS.—In a manner con-
11 sistent with the Strategy, the Center shall con-
12 duct assessments of deployment of climate-
13 friendly technology.

14 “(F) USE OF PRIVATE SECTOR FUND-
15 ING.—

16 “(i) IN GENERAL.—The Center shall
17 create an operating model that allows for
18 collaboration, division of effort, and cost
19 sharing with industry on individual climate
20 change response projects.

21 “(ii) REQUIREMENTS.—Although cost
22 sharing in some cases may be appropriate,
23 the Center shall focus on long-term high-
24 risk research and development and should
25 not make industrial partnerships or cost

1 sharing a requirement, if such a require-
2 ment would bias the activities of the Cen-
3 ter toward incremental innovations.

4 “(iii) REEVALUATION ON TRANSI-
5 TION.—At such time as any bold, break-
6 through research and development pro-
7 gram reaches a sufficient level of techno-
8 logical maturity such that the program is
9 transitioned to a program office of the De-
10 partment other than the Department Of-
11 fice, the cost-sharing requirements and cri-
12 teria applicable to the program should be
13 reevaluated.

14 “(iv) PUBLICATION IN FEDERAL REG-
15 ISTER.—Each cost-sharing agreement en-
16 tered into under this subparagraph shall be
17 published in the Federal Register.

18 “(G) INTERGOVERNMENTAL PERSONNEL
19 AND FELLOWSHIPS.—The Director of the Cen-
20 ter may use the authority provided by the Inter-
21 governmental Personnel Act of 1970 (42 U.S.C.
22 4701 et seq.) and subchapter VI of chapter 33
23 of title 5, United States Code, and fellowships,
24 to obtain staff from academia, scientific bodies,
25 private industry, nongovernmental organiza-

1 tions, other Department programs, other Fed-
 2 eral agencies, and national laboratories, for ap-
 3 pointments of a limited term.

4 **“SEC. 1625. ADDITIONAL OFFICES AND ACTIVITIES.**

5 “The Secretary of Agriculture, the Secretary of
 6 Transportation, the Administrator of the Environmental
 7 Protection Agency, and the heads of other Federal agen-
 8 cies may establish such offices and carry out such activi-
 9 ties, in addition to those established or authorized by this
 10 subtitle, as are necessary to carry out this subtitle.

11 **“SEC. 1626. UNITED STATES CLIMATE CHANGE RESPONSE**
 12 **STRATEGY REVIEW BOARD.**

13 “(a) ESTABLISHMENT.—There is established as an
 14 independent establishment within the executive branch the
 15 United States Climate Change Response Strategy Review
 16 Board.

17 “(b) MEMBERSHIP.—

18 “(1) COMPOSITION.—The Review Board shall
 19 consist of 11 members who shall be appointed, not
 20 later than 90 days after the date of enactment of
 21 this subtitle, by the President by and with the advice
 22 and consent of the Senate, from among qualified in-
 23 dividuals nominated by the National Academy of
 24 Sciences in accordance with paragraph (2).

1 “(2) NOMINATIONS.—Not later than 60 days
 2 after the date of enactment of this subtitle, after
 3 taking into strong consideration the guidance and
 4 recommendations of a broad range of scientific and
 5 technical societies that have the capability of recom-
 6 mending qualified individuals, the National Academy
 7 of Sciences shall nominate for appointment to the
 8 Review Board not fewer than 22 individuals who—

9 “(A) are—

10 “(i) qualified individuals; or

11 “(ii) experts in a field of knowledge
 12 specified in section 1621(9)(B); and

13 “(B) as a group represent broad, balanced
 14 expertise.

15 “(3) PROHIBITION ON FEDERAL GOVERNMENT
 16 EMPLOYMENT.—A member of the Review Board
 17 shall not be an employee of the Federal Government.

18 “(4) TERMS; VACANCIES.—

19 “(A) TERMS.—

20 “(i) IN GENERAL.—Subject to clause
 21 (ii), each member of the Review Board
 22 shall be appointed for a term of 4 years.

23 “(ii) INITIAL TERMS.—

24 “(I) COMMENCEMENT DATE.—

25 The term of each member initially ap-

1 pointed to the Review Board shall
 2 commence 120 days after the date of
 3 enactment of this subtitle.

4 “(II) TERMINATION DATE.—Of
 5 the 11 members initially appointed to
 6 the Review Board, 5 members shall be
 7 appointed for a term of 2 years and 6
 8 members shall be appointed for a
 9 term of 4 years, to be designated by
 10 the President at the time of appoint-
 11 ment.

12 “(B) VACANCIES.—

13 “(i) IN GENERAL.—A vacancy on the
 14 Review Board shall be filled in the manner
 15 described in this subparagraph.

16 “(ii) NOMINATIONS BY THE NATIONAL
 17 ACADEMY OF SCIENCES.—Not later than
 18 60 days after the date on which a vacancy
 19 commences, the National Academy of
 20 Sciences shall—

21 “(I) after taking into strong con-
 22 sideration the guidance and rec-
 23 ommendations of a broad range of sci-
 24 entific and technical societies that
 25 have the capability of recommending

1 qualified individuals, nominate, from
2 among qualified individuals, not fewer
3 than 2 individuals to fill the vacancy;
4 and

5 “(II) submit the names of the
6 nominees to the President.

7 “(iii) SELECTION.—Not later than 30
8 days after the date on which the nomina-
9 tions under clause (ii) are submitted to the
10 President, the President shall select from
11 among the nominees an individual to fill
12 the vacancy.

13 “(iv) SENATE CONFIRMATION.—An
14 individual appointed to fill a vacancy on
15 the Review Board shall be appointed by
16 and with the advice and consent of the
17 Senate.

18 “(5) DISCLOSURE OF POTENTIAL CONFLICTS
19 OF INTEREST.—

20 “(A) EMPLOYMENT OF NOMINEES.—If a
21 nominee to the Review Board is employed by an
22 entity that receives any funding from the De-
23 partment or any other Federal agency, the fact
24 of the employment shall be—

1 “(i) disclosed to the President by the
2 National Academy of Sciences at the time
3 of the nomination; and

4 “(ii) publicly disclosed by the nominee
5 as part of the Senate confirmation process
6 of the nominee.

7 “(B) EMPLOYMENT OF MEMBERS.—If,
8 during the period of service of a member on the
9 Review Board, the member is employed by an
10 entity that receives any funding from the De-
11 partment or any other Federal agency, the fact
12 of the employment shall be publicly disclosed by
13 the Chairperson of the Review Board on a semi-
14 annual basis.

15 “(C) FINANCIAL BENEFIT TO MEMBERS.—
16 If, during the period of service of a member on
17 the Review Board, the Review Board makes any
18 written recommendation that may financially
19 benefit a member or an entity that employs the
20 member, the fact of that financial benefit shall
21 be publicly disclosed by the Chairperson of the
22 Review Board at the time of the recommenda-
23 tion.

24 “(D) APPLICABILITY OF ETHICS IN GOV-
25 ERNMENT ACT OF 1978.—A member of the Re-

1 view Board shall be deemed to be an individual
2 subject to the Ethics in Government Act of
3 1978 (5 U.S.C. App.).

4 “(6) CHAIRPERSON; VICE CHAIRPERSON.—The
5 members of the Review Board shall select a Chair-
6 person and a Vice Chairperson of the Review Board
7 from among the members of the Review Board.

8 “(c) DUTIES.—

9 “(1) IN GENERAL.—Not later than 180 days
10 after the date of submission of the initial Strategy
11 under section 1622(b), each updated version of the
12 Strategy under section 1622(c), each progress report
13 under section 1622(d), and each national laboratory
14 certification under section 1622(f), the Review
15 Board shall submit to the President, Congress, and
16 the heads of Federal agencies as appropriate a re-
17 port assessing the adequacy of the Strategy, report,
18 or certification.

19 “(2) COMMENTS.—In reviewing the Strategy, or
20 a report or certification, under paragraph (1), the
21 Review Board shall consider and comment on—

22 “(A) the adequacy of effort and the appro-
23 priateness of focus of the totality of all public,
24 private, and public-private sector actions of the

1 United States with respect to the 4 key ele-
2 ments;

3 “(B) the extent to which actions of the
4 United States, with respect to climate change,
5 complement or leverage international research
6 and other efforts designed to manage global
7 emissions of greenhouse gases, to further the
8 long-term goal of stabilization of greenhouse
9 gas concentrations;

10 “(C) the funding implications of any rec-
11 ommendations made by the Review Board; and

12 “(D)(i) the effectiveness with which each
13 Federal agency is carrying out the responsibil-
14 ities of the Federal agency with respect to the
15 short-term and long-term greenhouse gas man-
16 agement goals; and

17 “(ii) the adequacy of the budget of each
18 such Federal agency to carry out those respon-
19 sibilities.

20 “(3) ADDITIONAL RECOMMENDATIONS.—

21 “(A) IN GENERAL.—Subject to subpara-
22 graph (B), the Review Board, at the request of
23 the President or Congress, may provide rec-
24 ommendations on additional climate change-re-
25 lated topics.

1 “(B) SECONDARY DUTY.—The provision of
2 recommendations under subparagraph (A) shall
3 be a secondary duty to the primary duty of the
4 Review Board of providing independent review
5 of the Strategy and the reports and certifi-
6 cations under paragraphs (1) and (2).

7 “(d) POWERS.—

8 “(1) HEARINGS.—

9 “(A) IN GENERAL.—On request of the
10 Chairperson or a majority of the members of
11 the Review Board, the Review Board may hold
12 such hearings, meet and act at such times and
13 places, take such testimony, and receive such
14 evidence as the Review Board considers to be
15 appropriate.

16 “(B) ADMINISTRATION OF OATHS.—Any
17 member of the Review Board may administer
18 an oath or affirmation to any witness that ap-
19 pears before the Review Board.

20 “(2) PRODUCTION OF DOCUMENTS.—

21 “(A) IN GENERAL.—On request of the
22 Chairperson or a majority of the members of
23 the Review Board, and subject to applicable
24 law, the Secretary or head of a Federal agency
25 represented on the Interagency Task Force, or

1 a contractor of such an agency, shall provide the Review
2 Board with such records, files, papers, data, and informa-
3 tion as are necessary to respond to any inquiry of the Re-
4 view Board under this subtitle.

5 “(B) INCLUSION OF WORK IN
6 PROGRESS.—Subject to applicable law, informa-
7 tion obtainable under subparagraph (A)—

8 “(i) shall not be limited to final work
9 products; but

10 “(ii) shall include draft work products
11 and documentation of work in progress.

12 “(3) POSTAL SERVICES.—The Review Board
13 may use the United States mails in the same man-
14 ner and under the same conditions as other agencies
15 of the Federal Government.

16 “(e) COMPENSATION OF MEMBERS.—A member of
17 the Review Board shall be compensated at a rate equal
18 to the daily equivalent of the annual rate of basic pay pre-
19 scribed for level IV of the Executive Schedule under sec-
20 tion 5315 of title 5, United States Code, for each day (in-
21 cluding travel time) during which the member is engaged
22 in the performance of the duties of the Review Board.

23 “(f) TRAVEL EXPENSES.—A member of the Review
24 Board shall be allowed travel expenses, including per diem
25 in lieu of subsistence, at rates authorized for an employee

1 of an agency under subchapter I of chapter 57 of title
2 5, United States Code, while away from the home or reg-
3 ular place of business of the member in the performance
4 of the duties of the Review Board.

5 “(g) STAFF.—

6 “(1) IN GENERAL.—The Chairperson of the Re-
7 view Board may, without regard to the civil service
8 laws (including regulations), appoint and terminate
9 an executive director and such other additional per-
10 sonnel as are necessary to enable the Review Board
11 to perform the duties of the Review Board.

12 “(2) CONFIRMATION OF EXECUTIVE DIREC-
13 TOR.—The employment of an executive director shall
14 be subject to confirmation by the Review Board.

15 “(3) COMPENSATION.—

16 “(A) IN GENERAL.—Except as provided in
17 subparagraph (B), the Chairperson of the Re-
18 view Board may fix the compensation of the ex-
19 ecutive director and other personnel without re-
20 gard to the provisions of chapter 51 and sub-
21 chapter III of chapter 53 of title 5, United
22 States Code, relating to classification of posi-
23 tions and General Schedule pay rates.

24 “(B) MAXIMUM RATE OF PAY.—The rate
25 of pay for the executive director and other per-

1 sonnel shall not exceed the rate payable for
2 level V of the Executive Schedule under section
3 5316 of title 5, United States Code.

4 “(h) PROCUREMENT OF TEMPORARY AND INTERMIT-
5 TENT SERVICES.—The Chairperson of the Review Board
6 may procure temporary and intermittent services in ac-
7 cordance with section 3109(b) of title 5, United States
8 Code, at rates for individuals that do not exceed the daily
9 equivalent of the annual rate of basic pay prescribed for
10 level V of the Executive Schedule under section 5316 of
11 that title.

12 **“SEC. 1627. AUTHORIZATION OF APPROPRIATIONS.**

13 “(a) WHITE HOUSE OFFICE.—

14 “(1) USE OF AVAILABLE APPROPRIATIONS.—
15 From funds made available to Federal agencies for
16 the fiscal year in which this subtitle is enacted, the
17 President shall provide such sums as are necessary
18 to carry out the duties of the White House Office
19 under this subtitle until the date on which funds are
20 made available under paragraph (2).

21 “(2) AUTHORIZATION OF APPROPRIATIONS.—

22 There is authorized to be appropriated to the White
23 House Office to carry out the duties of the White
24 House Office under this subtitle \$5,000,000 for each

1 of fiscal years 2002 through 2011, to remain avail-
2 able through September 30, 2011.

3 “(b) DEPARTMENT OFFICE.—

4 “(1) USE OF AVAILABLE APPROPRIATIONS.—

5 From funds made available to Federal agencies for
6 the fiscal year in which this subtitle is enacted, the
7 President shall provide such sums as are necessary
8 to carry out the duties of the Department Office
9 under this subtitle until the date on which funds are
10 made available under paragraph (2).

11 “(2) AUTHORIZATION OF APPROPRIATIONS.—

12 There is authorized to be appropriated to the De-
13 partment Office to carry out the duties of the De-
14 partment Office under this subtitle \$4,000,000,000
15 for the period of fiscal years 2002 through 2011, to
16 remain available through September 30, 2011.

17 “(c) CENTER.—

18 “(1) USE OF AVAILABLE APPROPRIATIONS.—

19 From funds made available to Federal agencies for
20 the fiscal year in which this subtitle is enacted, the
21 President shall provide such sums as are necessary
22 to carry out the duties of the Center under this sub-
23 title until the date on which funds are made avail-
24 able under paragraph (2).

1 “(2) AUTHORIZATION OF APPROPRIATIONS.—

2 There is authorized to be appropriated to the Center
3 to carry out the duties of the Center under this sub-
4 title \$75,000,000 for each of fiscal years 2002
5 through 2011, to remain available through Sep-
6 tember 30, 2011.

7 “(d) REVIEW BOARD.—

8 “(1) USE OF AVAILABLE APPROPRIATIONS.—

9 From funds made available to Federal agencies for
10 the fiscal year in which this subtitle is enacted, the
11 President shall provide such sums as are necessary
12 to carry out the duties of the Review Board under
13 this subtitle until the date on which funds are made
14 available under paragraph (2).

15 “(2) AUTHORIZATION OF APPROPRIATIONS.—

16 There is authorized to be appropriated to the Review
17 Board to carry out the duties of the Review Board
18 under this subtitle \$3,000,000 for each of fiscal
19 years 2002 through 2011, to remain available until
20 expended.

21 “(e) ADDITIONAL AMOUNTS.—Amounts authorized
22 to be appropriated under this section shall be in addition
23 to—

24 “(1) amounts made available to carry out the
25 United States Global Change Research Program

1 under the Global Change Research Act of 1990 (15
2 U.S.C. 2921 et seq.); and
3 “(2) amounts made available under other provi-
4 sions of law for energy research and development.”.

Calendar No. 226

107TH CONGRESS
1ST SESSION

S. 1008

[Report No. 107–99]

A BILL

To amend the Energy Policy Act of 1992 to develop the United States Climate Change Response Strategy with the goal of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, while minimizing adverse short-term and long-term economic and social impacts, aligning the Strategy with United States energy policy, and promoting a sound national environmental policy, to establish a research and development program that focuses on bold technological breakthroughs that make significant progress toward the goal of stabilization of greenhouse gas concentrations, to establish the National Office of Climate Change Response within the Executive Office of the President, and for other purposes.

NOVEMBER 15, 2001

Reported with amendments